EDITORIAL

What's a Cigarette Company to Do?

To read the cigarette manufacturers' Web sites, one would think the industry must be a wholly owned subsidiary of the Public Health Service. The sites warn about the dangers of smoking, say smoking is addictive, list chemicals added in manufacturing cigarettes, encourage smoke-free environments for nonsmokers, and offer smokers Web-based quitting resources.[1–3] Industry leader Philip Morris sounds downright altruistic in its enunciated commitment to youth smoking prevention: the company wants "to work with those who share our goal of reducing youth smoking. If collaborative efforts to solve this problem are successful, and this leads to a smaller adult consumer base in the future, we say 'so be it.'"[4] The other major producers—runner-up R.J. Reynolds, bronze medallist Brown & Williamson, and last-place Lorillard—all pledge allegiance to youth smoking prevention as well.[1–3,5]

This is the face of the "new" tobacco industry, they tell us, committed to public health and to America's children. They have finally come clean, they would have us believe, after half a century of targeting kids and deceiving the public about their products' dangers. Their social commitment extends well beyond the issue of smoking, they inform us. Each company devotes millions of dollars to a variety of causes, including feeding the hungry, aiding victims of natural disasters, and protecting women who are victims of abuse (of the nonsmoking kind). In 2000, industry behemoth Philip Morris, with domestic tobacco revenues of $23 billion, spent $115 million on such worthy endeavors—and then spent an additional $150 million on a national advertising campaign to inform the public about the company's largesse.[6]

Consistent with the spirit of a liberal society, of course, these companies defend their right to market cigarettes, a legal product, to the tens of millions of adult Americans who "enjoy" smoking.

HISTORY

If readers detect herein a hint of sarcasm, they will forgive the author if he does not credit them with unusual perspicacity. Any industry watcher appreciates that this industry has consistently articulated one position while knowing its diametric opposite to be true, to devastating effect. As recently as 1994, the companies' chief executive officers all swore before Congress that they did not know that smoking caused disease or believe it was addictive. Their scientists and lawyers knew and had been telling them so for decades.[7]

The industry's campaign of coordinated subterfuge dates back nearly 50 years. In January 1954, after epidemiological research indicted smoking as a cause of lung cancer,[8] a cabal of industry executives published the now infamous "Frank Statement to Cigarette Smokers" in more than 400 US newspapers. The "frank statement" said, among other things, "We accept an interest in people's health as a basic responsibility, paramount to every other consideration in our business. . . . We always have and always will cooperate closely with those whose task it is to safeguard the public health. . . . We are pledging aid and assistance to the research effort into all phases of tobacco use and health."[9] This solemn commitment was intended from day 1 to build a façade behind which the industry could hide as it continued to challenge the scientific evidence, call for "more research," and characterize the relationship between smoking and disease as "controversial."[10] The profits from its death-dealing product were simply too great for the industry to honor its published commitment.

A NEW DAY A-DAWNING?

But that, of course, was then. Today, perhaps, the leaders of the tobacco companies have come to regret the errant ways of their predecessors. Today, perhaps, they really do want to fulfill the pledge made, so disingenuously, half a century ago. Maybe today they *do* "accept an interest in people's health as a basic responsibility," even a "paramount" interest. Perhaps, in striking contrast to the industry's depressingly consistent history, they really do want to "cooperate closely" with public health authorities. Their Web sites tell us how hard they are trying to demonstrate this new commitment. They understand the public health community's skepticism, they say, but they do not know what more they can do to earn our trust.

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WHAT'S A CIGARETTE COMPANY TO DO?

Here I list specific measures cigarette companies could and would take if improving the public's health were truly their paramount interest and if they truly wanted to gain the public health community's trust and cooperation. The industry must be judged by its deeds, not by its words. In the absence of these actions, the industry's current words are nothing more than a meaningless repetition of the "frank statement."

I preface this list with a critically important observation, one that is fully appreciated by the cigarette companies. They have demonstrated remarkable resilience in the face of decades of adverse publicity and increasingly stringent tobacco control policies, the result of selling a highly addictive product. Even if no child ever again picked up a cigarette, and even if the companies complied fully with every suggestion that follows, they still would have millions of customers for decades to come.

Further, the companies will continue to rake in enormous profits, permitted by the industry's tightly knit oligopolistic structure, while the "residual" smokers remain their customers. If the companies complied with the following suggestions, they would not maximize their profits in the future—but they would still earn a solid rate of return while they weaned themselves from their own addiction to tobacco and concentrated increasingly on other, nonlethal, businesses.

The list:

1. *End all forms of tobacco advertising and promotion* by amending the Master Settlement Agreement[11] (MSA) with the state attorneys general, or through federal legislation, working with Congress to address constitutional questions.[12] An end to all forms of marketing could decrease smoking by about 7%.[13] If, in the future, advertising could legitimately inform smokers about a novel, genuinely less hazardous alternative tobacco product, a governmental regulatory authority (see below) could permit exceptions.[14,15] Incidentally, the savings from ending all advertising and promotion—$8.2 billion in 1999[16]—would cover virtually all of the new expenditures recommended below.

A complete end to all marketing will confront obstacles, even with industry cooperation. In the interim, and at a bare minimum, the industry should address its more flagrant forms of marketing to young people, deeds that sharply conflict with the industry's espoused commitment. The industry should

- Stop advertising in point-of-purchase environments where children shop. A new study found that 92% of 3031 retail outlets had some form of point-of-purchase tobacco advertising. Fully 43% had interior advertising less than 3.5 feet above the floor, "directly in the line of sight of very young children."[17]
- Immediately cease targeting young adults. With children theoretically off limits, the industry aggressively pursues 18- to 24-year-olds, as discussed by Ling and Glantz in this issue of the Journal[18] and by others.[19–21] If the industry were serious about not trying to expand its customer base, it would not be spending huge amounts on such efforts.
- Quit obstructing states' efforts to restrict advertising accessible to children. The industry sued Massachusetts to prevent regulation of advertising near schools.
- Give up the charade of voluntary industry marketing standards, including the recently announced international marketing standards.[22] Since 1964,[23] voluntary codes have served only to protect the industry from genuine regulation.

2. *Cooperate to raise cigarette prices substantially.* Price increases decrease smoking, especially among children and teenagers.[24]

- Encourage tobacco-friendly members of Congress to support a large federal tax increase, on the order of $2 per pack.
- Encourage state excise tax hikes, which many legislatures are now considering to fight budget deficits. At a minimum, refrain from participating when debates over state tax increases arise.
- Amend the MSA to raise industry payments to the states. The MSA's $206 billion in payments over 25 years increased prices only 45 cents per pack—hardly devastating to the industry. Why not double the amount of the payments? (Remember the savings that could be realized by ending marketing.)

3. *Get serious about youth tobacco prevention programs.*

- Amend the MSA to maintain in perpetuity the industry's major annual payments supporting the American Legacy Foundation (said payments are now slated to end next year), and double the amount. The current amount of $275 million is peanuts to an industry with an annual pro-smoking marketing budget *30 times larger.* As Farrelly et al.[25] demonstrate in this issue of the Journal, Legacy's youth-oriented media campaign is turning young people against smoking.
- Hand over all funds now devoted to company-run youth smoking prevention campaigns to Legacy or another independent nonprofit organization. Rather than discouraging smoking, Philip Morris' campaign may maintain young people's "openness" to smoking.[25] How can this happen, given the company's deep pockets and demonstrated marketing expertise? In this issue, Landman et al.[26] characterize Lorillard's "Tobacco is Whacko" campaign as a means of gaining access to young people and accumulating sales-relevant psychographic data. Industry-run programs simply are not credible.

4. *Get out of the way of state and local government initiatives to protect nonsmokers from exposure to tobacco smoke.* Stop supporting watered-down preemption laws. Quit supporting industry front groups.[27]

5. *Immediately cease all hard- and soft-money political contributions.*[27]

6. *Handsomely fund an organization assisting smokers to quit,* again using a device like the MSA to ensure independence. The program should include reimbursing low-income smokers for cessation pharmaceuticals.

7. *Stop trying to buy the loyalty—or at least the silence—of researchers by setting up company-funded research programs.* Amend the MSA to include a large endowment funding an independent national nicotine and tobacco research foundation.

8. *Adopt plain packaging with graphic Canadian-style warning*

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labels occupying half of the front and back of each pack.[28]

9. *Voluntarily comply with all of the marketing, manufacturing, and sales restrictions that the Justice Department is seeking in its legal action against the industry.*[29]

10. *Facilitate development of effective federal regulation of all nicotine and tobacco products.* This will require novel enabling legislation, unequivocal support in Congress and the administration, and plenty of resources. It cannot happen without genuine industry cooperation, and the legislation must not be watered down, such as that supported by Philip Morris.[30] The industry should ask the public health community to draft legislation, with the industry's input but without its interference, and the industry should agree to support the results as aggressively as they have opposed tobacco control legislation in the past.

One final step would be crucial to earn my trust, and presumably that of many others who have labored in the trenches of tobacco control: *The multinational companies would have to quit their business-as-usual behavior in low- and middle-income countries.* Aggressive marketing in Asia and Eastern Europe,[31] addicting payments to poor farmers and government officials in Africa,[32] active involvement in international cigarette smuggling.[33] To make the notion of a "responsible cigarette manufacturer"[1] other than an oxymoron, the industry would have to halt all of these bald and voracious attempts to expand its market among the world's most vulnerable populations. A pragmatic first step: Stop working to subvert the Framework Convention on Tobacco Control, the World Health Organization's valiant attempt to curb the tobacco epidemic worldwide.[34]

ASHES TO WIDGETS, TRUST TO DUST

What's a cigarette company to do? Put your money where your mouth is, and where it was 50 years ago. (All 4 of today's leading cigarette manufacturers signed the "Frank Statement" in 1954.) Ask yourself what a responsible company making widgets would do if it were discovered that widgets killed half their customers and that half could not stop using them. Would Worldwide Widgets, Inc, say in its advertising that children should not use widgets but that for adults to do so was an acceptable, if frequently fatal, "custom"? For that matter, would the government permit Worldwide Widgets to pursue such a course?

Cigarettes are not widgets. Nor have the tobacco companies just discovered the lethality and addictiveness of their products. Rather, the companies themselves have become desperately addicted to the profits their products generate. In the process, they have developed a tangled web of codependent industries and organizations. Many of the measures suggested above could be achieved without the cooperation of these codependents. Some, however, would require the codependents' cooperation, or at least acquiescence, as well as that of others concerned more generally with the measures' implications (e.g., with regard to freedom of commercial speech).

The fact that everyone reading these suggestions—public health professionals and industry executives alike—will consider them ludicrous and an unachievable fantasy shows how far public health and the tobacco industry are from developing mutual trust and from working together to realize a solution to history's greatest manmade plague. ■

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Note. *Dr Warner is a member of the Board of Directors of the American Legacy Foundation. The comments and conclusions in this editorial are entirely his own and do not reflect the opinions or positions of the foundation, its staff, or other members of the board of directors.*

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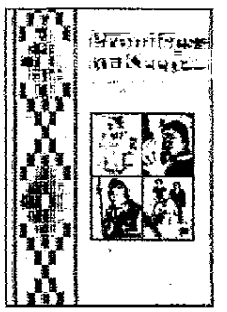

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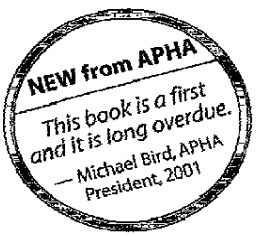

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